

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 17-1102.01 Christy Chase x2008

SENATE BILL 17-269

SENATE SPONSORSHIP

Marble and Aguilar,

HOUSE SPONSORSHIP

Winter and McKean,

Senate Committees

Business, Labor, & Technology

House Committees

Business Affairs and Labor

A BILL FOR AN ACT

101 **CONCERNING THE EXCLUSION OF SPECIFIED NONALCOHOL PRODUCTS**
102 **FROM THE CALCULATION OF THE MAXIMUM AMOUNT OF A**
103 **RETAIL LIQUOR STORE'S ANNUAL GROSS SALES REVENUE THAT**
104 **MAY BE DERIVED FROM THE SALE OF NONALCOHOL PRODUCTS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Current law permits a licensed retail liquor store to sell nonalcohol products, subject to a 20% limit on gross sales revenue from the sale of nonalcohol products.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

HOUSE
2nd Reading Unamended
April 27, 2017

SENATE
3rd Reading Unamended
April 20, 2017

SENATE
Amended 2nd Reading
April 19, 2017

The bill excludes revenues from the sale of cigarettes, tobacco products, nicotine products, and lottery products from the calculation of the cap on a retail liquor store's gross revenues from the sale of nonalcohol products.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 12-47-103, **amend**
3 the introductory portion and (31) as follows:

4 **12-47-103. Definitions.** As used in this ~~article~~ ARTICLE 47 and
5 article 46 of this ~~title~~ TITLE 12, unless the context otherwise requires:

6 (31) "Retail liquor store" means an establishment engaged only in
7 the sale of malt, vinous, and spirituous liquors IN SEALED CONTAINERS
8 FOR CONSUMPTION OFF THE PREMISES and nonalcohol products, but only
9 if the annual gross revenues from the sale of nonalcohol products ~~does~~ DO
10 not exceed twenty percent of the retail liquor store's STORE
11 ESTABLISHMENT'S total annual gross SALES revenues, AS DETERMINED IN
12 ACCORDANCE WITH SECTION 12-47-407 (1)(b).

13 **SECTION 2.** In Colorado Revised Statutes, 12-47-407, **amend**
14 (1)(b) as follows:

15 **12-47-407. Retail liquor store license.** (1) (b) In addition, retail
16 liquor stores may sell any nonalcohol products, but only if the annual
17 gross revenues from the sale of nonalcohol products do not exceed twenty
18 percent of the retail liquor store's total annual gross SALES revenues. FOR
19 PURPOSES OF CALCULATING THE ANNUAL GROSS REVENUES FROM THE
20 SALE OF NONALCOHOL PRODUCTS, SALES REVENUES FROM THE FOLLOWING
21 PRODUCTS ARE EXCLUDED:

22 (I) LOTTERY PRODUCTS; ==

23 (II) CIGARETTES, TOBACCO PRODUCTS, AND NICOTINE PRODUCTS,

1 AS DEFINED IN SECTION 18-13-121 (5);

2 (III) ICE, SOFT DRINKS, AND MIXERS; AND

3 (IV) NONFOOD ITEMS RELATED TO THE CONSUMPTION OF MALT,

4 VINOUS, OR SPIRITUOUS LIQUORS.

5 **SECTION 3. Act subject to petition - effective date.** This act
6 takes effect at 12:01 a.m. on the day following the expiration of the
7 ninety-day period after final adjournment of the general assembly (August
8 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
9 referendum petition is filed pursuant to section 1 (3) of article V of the
10 state constitution against this act or an item, section, or part of this act
11 within such period, then the act, item, section, or part will not take effect
12 unless approved by the people at the general election to be held in
13 November 2018 and, in such case, will take effect on the date of the
14 official declaration of the vote thereon by the governor.